IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 477 0F 2007
IN
CRIMINAL APPEAL NO. 1228 OF 2006

Ravindra N. Pharande ..Applicant

versus

State of Maharashtra ..Respondents

Mr. K. S. Patil for the Applicant.

Ms. R. M. Gadhvi, APP for the Respondents - State.

CORAM : D. G. DESHPANDE, &
SMT. NISHITA MHATRE, JJ.

DATE : 30TH APRIL, 2007.

P.C.

1. Heard.

2. This is an application by the applicant - accused for bail. He was acquitted by the trial court. State filed Appeal against acquittal. Leave was granted and Appeal was admitted by Division Bench on 15.11.2006. Action under Section 390 was directed to be taken in eight weeks from the date of receipt of the said order.

3. Applicant was thereafter arrested on non-bailable warrant. He applied for bail but the trial court rejected the application for bail on the ground that he did not surrender within eight weeks and misused the liberty.

4. We do not find that the reason is proper. Grant of bail should have been considered on the new grounds available after the acquittal. Therefore, we allow this application. Applicant - accused be released on P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand) with one or two solvent sureties in the like amount. He should attend the concerned Police Station once in two months. His substantive sentence is suspended pending appeal. Fine, if any, will be paid by him before he is released on bail. Application is disposed of.

(SMT. NISHITA MHATRE, J.) (D.G. DESHPANDE, J.)